

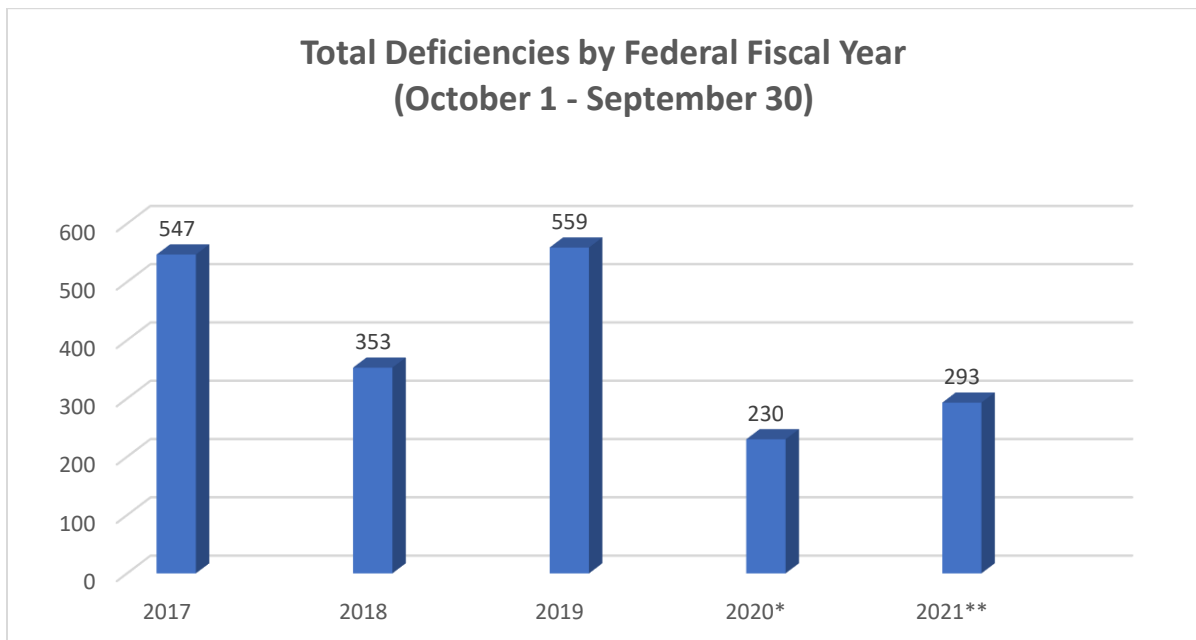
**SD Department of Health
Office of Licensure & Certification**

BIANNUAL NURSING FACILITY REGULATION REPORT

January 2022

(October 1, 2020 – September 30, 2021)

The purpose of this report is to provide statistics and information regarding the regulation of nursing facilities in South Dakota. The deficiency data includes all Long-Term Care health surveys. The report will be updated on a biannual basis and will be distributed directly to long term care providers and posted on the DOH website.



Number of Surveys Conducted

Federal Fiscal Year

Nursing Home Surveys (FFY)									
2017		2018		2019		2020		2021	
Standard	97	Standard	94	Standard	91	Standard	44	Standard	49
Complaint	69	Complaint	56	Complaint	21	Complaint	28	Complaint	19
FICS	0	FICS	0	FICS	0	FIC Survey	162	FIC Survey	255
Total Surveys	166	Total Surveys	150	Total Surveys	112	Total Surveys	234	Total Surveys	323

FICS - Focused Infection Control Survey

Long Term Care Health Survey Scope & Severity of Deficiencies

Scope & Severity	2017		2018		2019		2020*		2021**	
	Number	%	Number	%	Number	%	Number	%	Number	%
A	0	0%	0	0%	0	0%	0	0%	0	0%
B	3	1%	0	0%	0	0%	0	0%	0	0%
C	4	1%	0	0%	1	0%	0	0%	0	0%
D	214	39%	178	50%	295	53%	137	60%	131	45%
E	205	37%	136	39%	187	33%	64	28%	81	28%
F	35	6%	10	3%	20	4%	10	4%	53	18%
G	39	7%	18	5%	30	5%	16	7%	12	4%
H	18	3%	4	1%	26	5%	0	0%	4	1%
I	0	0%	0	0%	0	0%	0	0%	0	0%
J	0	0%	7	2%	0	0%	3	1%	3	1%
K	14	3%	0	0%	0	0%	0	0%	1	0%
L	15	3%	0	0%	0	0%	0	0%	8	3%
Total	547		353		559		230		293	

* FFY2020 36 deficiencies due to F880 (Infection Prevention & Control) or F884 (NHSN Reporting)

** FFY2021 69 deficiencies due to F880 (Infection Prevention & Control) or F884 (NHSN Reporting)

Note: A, B, & C Tags = No harm. Minimal negative impact.
 D, E, & F Tags = No harm. Potential for more than minimal harm.
 G, H, & I Tags = Actual harm. Not immediate jeopardy.
 J, K, & L Tags = Immediate jeopardy to resident health or safety.

Informal Dispute Resolution (IDR) Summary

Federal Fiscal Year	IDRs Requested	Deficiencies Appealed	Deficiencies		
			Removed	S/S Lowered	Upheld
2017	7	18	6	1	12
2018	10	20	5	4	15
2019	13	26	16	2	10
2020	9	20	11	2	9
2021	21	44	18	3	26
Average	12	26	11	2	14

Civil Money Penalties Summary

Civil Money Penalties to a facility					
by Federal Fiscal Year					
Year	Number Imposed	Number Removed	Total Imposed	Total	Total Medicaid
2015	3	0	3	\$107,282.50	\$89,543.68
2016	9	1	8	\$113,850.65	\$88,559.49
2017	28	2	26	\$1,118,266.50	\$904,691.02
2018	7	0	7	\$319,626.55	\$267,532.28
2019	17	0	17	\$461,982.95	\$365,943.82
2020	21	1	20	\$218,241.20	\$186,454.89
2021	86	2	84	\$974,383.25	\$753,053.94
Total	171	6	165	\$3,313,633.60	\$2,655,779.12

* 2020 7 CMP's imposed due to F880 (Infection Prevention & Control) or F884 (NHSN Reporting)

** 2021 74 CMP's imposed due to F880 (Infection Prevention & Control) or F884 (NHSN Reporting)

Note: The first civil money penalty (CMP) was imposed on an SD nursing facility by CMS in 2015. Since then, approximately 69% of nursing facilities (72 facilities total) in the state have received one or more CMP. Twenty four facilities accounted for 87% of the CMPs imposed. 80% of the total CMP funds collected have been or will be transferred back to the State. CMS imposes stringent restrictions on how States can use CMP funds. All proposed expenditure of CMP funds must be pre-approved by the Centers for Medicare and Medicaid Services (CMS).

CMP Funded Projects

2021

- Music and Memory Program – Phase 2 (Year 2). South Dakota Foundation for Medical Care – continuation from 2020.
- South Dakota Dementia Culture Change, Education and Training Project through Positive Approach to Care (2 Year program). South Dakota Department of Human Services, Office of the State Long Term Care Ombudsman Program - \$201,184.00.
- Crisis and Disaster Management – CMS Emergency Preparedness. South Dakota Health Care Association - \$24,914.95.

2020

- Communicative Technology During COVID-19. South Dakota Association of Healthcare Organizations - \$275,961.92.
- Music and Memory Program – Phase 2. South Dakota Foundation for Medical Care - \$410,936.
- De-escalating Behaviors in Long Term Care. South Dakota Health Care Association – \$7,108.80.
- COVID-19 Visitation Project. South Dakota Health Care Association – \$52,815.

- COVID-19 Visitation Project. South Dakota Association of Healthcare Organizations - \$39,124.33.

2019

- Quality Measures Improvement Project. South Dakota Health Care Association - \$19,345.
- Pressure Injury Training. South Dakota Association of Healthcare Organizations - \$20,630.40.
- Common Sense Approach to Challenging Behaviors and the Common Sense Approach to Communicating with Elders Who Have Dementia. South Dakota Health Care Association – \$19,252.90.
- Trauma Informed Care. South Dakota Association of Healthcare Organizations - \$6,550.
- Music and Memory Program (Year 2). South Dakota Foundation for Medical Care – continuation from 2018.

2018

- Person Centered Care in Long Term Care. South Dakota Health Care Association – \$8,586.
- Music and Memory Program (2 Year program). South Dakota Foundation for Medical Care - \$402,500.

Questions about this report should be directed to Chris Qualm, Administrator of Licensure & Certification. Email: Chris.Qualm@state.sd.us. Telephone: (605) 773 – 3356.